

**Joint Exhibit A**

<b>Claims</b>	<b>Term(s)</b>	<b>Plaintiff's Proposed Construction</b>	<b>Plaintiff's Intrinsic Support</b>	<b>Defendants' Proposed Construction</b>	<b>Defendants' Intrinsic Support</b>	<b>Why Resolution of Dispute Makes a Difference</b>
Claims 1, 3	"compensation structure"	a structure for balancing cross-talk (e.g., noise signal)	'547 Patent 1:50-65, 3:12-22, 3:39-62, 4:48-52, 5:11-18, 6:25-36, 8:36-9:14, 10:20-35, 11:42-12:44, FIGS. 1-5A (Jt. Ex. B).	means plus function (corresponding structure: capacitor plates integral with free ends of a jack's contact springs) (corresponding function: to provide compensation signals that balance a selected amount of cross-talk generated in said connector)	'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 3:62-4:4</li> <li>• 4:16-21</li> <li>• 4:48-67</li> <li>• 5:11-18</li> <li>• 6:14-24</li> <li>• 6:37-54</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 9:15-52</li> <li>• 9:53-10:19</li> <li>• 10:36-11:41</li> <li>• 11:42-52</li> <li>• FIGS. 1A-5A</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term may impact validity and/or infringement and may assist the jury.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution clarifies what</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
						"compensation structure" is.
Claims 1, 3	"located near contact points"	Not indefinite. conductively connected less than 0.4 inches from the contact points or such other distance that balances cross-talk	'547 Patent 1:27-45, 4:5-21, 4:48-67, 5:11-18, 7:37-8:22, 9:35-52, FIGS. 1-5A (Jt. Ex. B).	Indefinite  If deemed not indefinite, then Plaintiff's construction should be rejected in favor of the following: conductively connected less than 0.05 inches from the contact points	'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 4:16-21</li> <li>• 4:48-67</li> <li>• 5:11-18</li> <li>• 7:37-8:25</li> <li>• 9:15-52</li> <li>• FIGS. 1A-5A</li> </ul> '547 patent prosecution history in its entirety, including (without limitation), for example <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> </ul>	<b>Plaintiff's Position:</b>  Construction of this term relates to Defendants' invalidity arguments.  <b>Defendants' Position:</b>  Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Martin (U.S. Patent No.</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).	
Claims 1, 3	"conductive paths between connector terminals of said jack and connector terminals of said plug"	paths between the connector terminals of the plug, the contacts of the jack, and a cable connected to the connector terminals of the jack	'547 Patent 3:51-61, 4:5-21, 4:48-67, 5:11-17, 6:14-24, 7:16-36, 7:37-8:22, 9:15-35, 9:36-52, 10:36-11:6, 11:30- 11:41, FIGS. 1-5A (Jt. Ex. B).  Prosecution History: Office Action ("OA") of 10/18/2000 (Ex. C); Response ("Resp.") of 4/18/2001 (Ex. D); OA of 5/22/2001 (Ex. E); Resp. of 8/22/2001 (Ex. F).	the pathways that extend between the plug terminals and the jack terminals and include the contact points where the jack and plug contacts make contact with each other"	'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 1:66-2:6</li> <li>• 3:62-4:4</li> <li>• 4:16-21</li> <li>• 4:48-67</li> <li>• 5:11-18</li> <li>• 5:63-6:13</li> <li>• 6:14-24</li> <li>• 6:37-54</li> <li>• 6:67-7:8</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 8:23-35</li> <li>• 9:15-52</li> <li>• 9:53-10:19</li> <li>• 10:36-11:41</li> </ul>	<b>Plaintiff's Position:</b>  Construction of this term may impact validity and/or infringement and may assist the jury.  <b>Defendants' Position:</b>  Resolution on construction may impact non- infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether compensation

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• 11:42-52</li> <li>• 12:32-36</li> <li>• FIGS. 1A-5A</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Def. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000</li> </ul>	structure is located "outside said conductive carrying paths" as recited in a separate claim element.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).	
Claims 1, 3	“said compensation structure being conductively connected to at least some of said contacts”	the compensation structure is electrically connected to contacts of the plug or jack when mated	’547 Patent 3:51-61, 4:5-21, 4:48-67, 5:11-17, 6:14-24, 7:16-36, 7:37-8:22, 9:15-35, 9:36-52, 10:36-11:6, 11:30-11:41, FIGS. 1-5A (Jt. Ex. B).	The compensation structure is directly or indirectly electrically connected to contacts of the plug or jack before the plug or jack are mated to each other	’547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example • Abstract • 1:65-2:22	<b>Plaintiff's Position:</b> Construction of this term may impact validity and/or infringement.  <b>Defendants' Position:</b>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
			Prosecution History: OA of 10/18/2000 (Ex. C); Resp. of 4/18/2001 (Ex. D); OA of 5/22/2001 (Ex. E); Resp. of 8/22/2001 (Ex. F).		<ul style="list-style-type: none"> <li>• 2:32-54</li> <li>• 3:23-32</li> <li>• 3:38-4:4</li> <li>• 4:5-11</li> <li>• 4:48-67</li> <li>• 5:11-16</li> <li>• 5:63-6:24</li> <li>• 6:37-7:15</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 8:52-63</li> <li>• 8:42-9:35</li> <li>• 9:15-35</li> <li>• 9:65-10:15</li> <li>• 10:36-48</li> <li>• 10:49-11:6</li> <li>• 11:18-41</li> <li>• FIGS 1-1A (also FIGS. 1-5A)</li> <li>• FIGS. 2-5A</li> <li>• U.S. application Ser. No. 09/276,004 (incorporated by reference by '547) (COMMJACK_00 01873-908) (Defs. Ex. 4)</li> </ul>	Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether electrical connection can be indirect and also clarify the meaning of "electrically isolated" as used in other claim elements

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• U.S. application Ser. No. 60/106,140 (incorporated by reference by '547) (COMMJACK_00 01909-23) (Defs. Ex. 5)</li> <li>• U.S. application Ser. No. 60/117,525 (incorporated by reference by '547) (COMMJACK_00 01924-44) (Defs. Ex. 6)</li> <li>• U.S. application Ser. No. 09/286,113 (incorporated by reference by '547) (COMMJACK_00 01837-72) (Defs. Ex. 7)</li> </ul> <p>'547 patent prosecution history in its entirety (BCU_REEDE0000 31-212) (Jt. Ex. B), including (without</p>	



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					limitation), for example <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Notice of Allowability (BCU_REEDE000 153-155</li> <li>• Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> </ul>	
Claims 1, 3	“said compensation structure ... being located outside said conductive path carrying said high-frequency data signal” (Plaintiff)	the compensation structure is not located on the path between the plug, the contacts of the jack, and a cable connected to the jack	<p>’547 Patent 3:51-61, 4:5-21, 4:48-67, 5:11-17, 6:14-24, 7:16-36, 7:37-8:22, 9:15-35, 9:36-52, 10:36-11:6, 11:30-11:41, FIGS. 1-5A (Jt. Ex. B).</p> <p>Prosecution History: OA of 10/18/2000 (Ex. C); Resp. of 4/18/2001 (Ex. D);</p>	Not part of the main conductive signal-carrying path between the plug and jack terminals but may otherwise be connected to the main signal-carrying path	<p>‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 4:5-13</li> <li>• 4:48-67</li> <li>• 5:22-25</li> <li>• 7:16-36</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term may impact validity and/or infringement and may assist the jury.</p> <p><b>Defendants' Position:</b></p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	“being located outside said conductive path carrying said high-frequency data signal” (Defendants)		OA of 5/22/2001 (Ex. E); Resp. of 8/22/2001 (Ex. F).		<ul style="list-style-type: none"> <li>• 9:15-52</li> <li>• 11:41-52</li> <li>• FIGS. 1A-5A</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example,</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000</li> </ul>	Resolution on construction may impact non-infringement of asserted claims against Defendants, and also invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and the infringement contentions is located outside the path as recited.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9) • Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					01643-48) (Def. Ex. 10)	
Claims 1, 3	“[a compensation structure] being arranged to provide compensation signals that balance a selected amount of cross-talk generated in said connector”	Not indefinite. the compensation structure generates compensation signals that balance a pre-determined amount of cross-talk between conductors	'547 Patent 1:50-65, 3:12-22, 3:39-62, 4:48-52, 5:11-18, 6:25-36, 8:36-9:14, 10:20-35, 11:42-12:44, FIGS. 1-5A (Jt. Ex. B).	Indefinite  If deemed not indefinite, then Plaintiff's construction should be rejected in favor of the following: the compensation structure is arranged to provide compensation signals that balance all cross-talk generated in the connector.	'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Abstract (offset or balance)</li> <li>• 3:12-33</li> <li>• 3:38-51</li> <li>• 4:5-13</li> <li>• 4:48-67</li> <li>• 6:25-36</li> <li>• 7:16-36</li> <li>• 8:35-51</li> <li>• 8:52-9:14</li> <li>• 9:15-52</li> <li>• 11:7-17</li> <li>• 11:42-52</li> <li>• 11:53-12:44</li> <li>• U.S. Pat. App. Ser. No. 09/286,113 (COMMJACK_00</li> </ul>	<b>Plaintiff's Position:</b>  Construction of this term relates to Defendants' invalidity arguments.  <b>Defendants' Position:</b>  Resolution on construction may impact non-infringement of all asserted claims against Defendants, and also their invalidity, including under Section 112.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					01837-72) (Defs. Ex. 7) • Bohbot (U.S. Patent No. 5,326,284) (COMMJACK_00 01569-79) (Defs. Ex. 11) • FIGS. 1A-5A	
Claim 1	“said contacts arranged to form cantilever springs mounted on said compensation insert” (Plaintiff) / “to form cantilever springs mounted on said compensation insert” (Defendants)	the contacts of the jack are mounted on one end and form springs	’547 Patent 2:42-54, 4:5-34, 5:1-6, 6:14-54, 7:16-8:22, 9:15-45, FIGS. 1-5A (Jt. Ex. B).	to form springs that are mounted on the compensation insert, the springs being cantilevered (i.e., each spring being supported at only one end)	‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example • 2:42-53 • 5:1-6 • 6:13-24 • 6:37-54 • 7:16-8:25 • 9:15-35 • 10:28-56 • FIGS. 1A-5A  ’547 patent prosecution history in its entirety ,	<b>Plaintiff’s Position:</b> Construction of this term may impact validity and/or infringement.  <b>Defendants’ Position:</b> Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<p>including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE00 0035-81) (Def. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE00 0101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE00 0122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE00 0137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE00</li> </ul>	Specifically, for example, resolution of this issue will clarify whether structure identified in the prior art and infringement contentions are arranged to form the recited contacts arranged to form canitlever springs mounted on said compensation insert.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					0146-151) (Jt. Ex. F) <ul style="list-style-type: none"> <li>• Notice of Allowability (BCU_REEDE00 0153-155) (Defs. Ex. 2)</li> <li>• Martin (U.S. Patent No. 5,967,801) (COMMJACK_0 001635-42) (Defs. Ex. 8)</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_0 001701-09) (Defs. Ex. 9)</li> </ul>	
Claim 3	“said compensation structure includes capacitive balancers” (Plaintiff)	the compensation structure includes one or more capacitors	’547 Patent 1:50-65, 3:12-22, 3:39-62, 4:48-52, 5:11-18, 6:25-36, 8:36-9:14, 10:20-35, 11:42-12:44, FIGS. 1-5A (Jt. Ex. B).	Capacitor plates.	‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• 4:5-11</li> <li>• 5:11-17</li> </ul>	<b>Plaintiff's Position:</b>  Construction of this term may impact validity and/or infringement.  <b>Defendants' Position:</b>



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	“capacitive balancers” (Defendants)				<ul style="list-style-type: none"> <li>• 7:16-8:25</li> <li>• 9:15-65</li> <li>• 10:49-11:41</li> <li>• FIGS. 1A-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Page 1:3-5</li> <li>• Page 4:5-25</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000</li> </ul>	<p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution of this issue will clarify whether structure identified in the prior art and infringement contentions are compensation structures that include capacitive balancers as recited.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					101-109) (Jt. Ex. C) • Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Def's. Ex. 9)</li> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Def's. Ex. 10)</li> </ul>	
Claims 6, 12, 18, 19, 21	<p>“said jack comprising ... a plurality of contacts juxtaposed side-by-side and arranged in a single row” (Plaintiff)</p> <p>“a plurality of contacts juxtaposed side-by-side and arranged</p>	the contacts of the jack are arranged in parallel where the contacts of the jack mate with a plug	'547 Patent 2:33-54, 6:25-36, FIGS. 1-5A (Jt. Ex. B).	Two or more closely positioned contacts that are arranged side-by-side and in a single row along the entire length of the contacts	<p>'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• 2:32-58</li> <li>• 5:64-6:26</li> <li>• 7:16-8:25</li> <li>• 8:23-35</li> <li>• 9:15-35</li> <li>• 9:66-10:19</li> <li>• FIGS. 1A-5A</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term may impact validity and/or infringement.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants,</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	in a single row" (Defendants)				<p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Pages 3:30-4:5</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> </ul>	and also their invalidity, including under Section 112. Specifically, for example, resolution of this issue will clarify whether structure identified in the prior art and infringement contentions comprise contact springs juxtaposed and arranged as recited.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
Claim 12	“said contacts including cantilever spring contacts” (Plaintiff) / “including cantilever spring contacts” (Defendants)	the contacts of the jack are mounted on one end and form springs	'547 Patent 2:42-54, 4:5-34, 5:1-6, 6:14-54, 7:16-8:22, 9:15-45, FIGS. 1-5A (Jt. Ex. B).	<p>A “cantilever spring contact” is a spring contact that is cantilevered (i.e., being supported at only one end)</p> <p>“cantilever spring contacts” means more than one cantilever spring contact, each cantilever spring contact being a spring contact that is cantilevered (i.e., being supported at only one end).</p>	<p>'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• 2:42-53</li> <li>• 5:1-6</li> <li>• 6:13-24</li> <li>• 6:37-54</li> <li>• 7:16-8:25</li> <li>• 9:15-35</li> <li>• 10:28-56</li> <li>• FIGS. 1A-5A</li> </ul> <p>'547 patent prosecution history in its entirety (BCU_REEDE0000 31-212) (Jt. Ex. B), including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term may impact validity and/or infringement.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution of this issue will clarify whether structure identified in the prior art and infringement contentions include cantilevered spring contacts as recited.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Martin (U.S. Patent No.</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					5,967,801) (COMMJACK_0001635-42) (Def. Ex. 8) • Merchant (U.S. Patent No. 6,106,335)	
Claim 6, 18, 19, 21	“a cantilever spring contacts . . . . having a mounted end and a moveable end; and at least two of said spring contacts . . . connected to said moveable ends”	Not indefinite. “cantilever spring contacts . . . . having a mounted end and a moveable end; and at least two of said spring contacts . . . connected to said moveable ends”	’547 Patent 2:42-54, 5:1-6, 6:14-24, 6:37-54, 7:16-45, 9:15-52, 10:36-11:42. FIGS. 1-5A; Certificate of Correction dated June 25, 2002 (Jt. Ex. B).  Prosecution History: OA of 10/18/2000 (Ex. C); Resp. of 4/18/2001 (Ex. D); OA of 5/22/2001 (Ex. E); Resp. of 8/22/2001 (Ex. F).	Indefinite  If deemed not indefinite, then Plaintiff’s construction should be rejected in favor of the following: construe consistent with “cantilever spring contacts” in claim 12.	‘547 patent in entirety (BCU_REEDE000001-30) (Jt. Ex. B), including (without limitation) for example • 2:42-51 • 5:1-6 • 6:13-24 • 6:37-54 • 7:16-36 • 7:37-8:25 • 9:15-35 • 10:28-56 • FIGS. 1A-5A  Provisional Patent Application No. 60/110,595 (COMMJACK_000	<b>Plaintiff’s Position:</b>  Construction of this term relates to Defendants’ invalidity arguments.  <b>Defendants’ Position:</b>  Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112.



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					1805-36) (Defs. Ex. 3) <ul style="list-style-type: none"> <li>• Page 1:3-5</li> <li>• Page 4:5-25</li> <li>• FIGS. 2-22</li> </ul> '547 patent prosecution history in its entirety , including (without limitation), for example <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> </ul>	
Claims 6, 12, 18, 19, 21	"capacitive coupling elements"	capacitor elements	'547 Patent 1:50-65, 3:12-22, 3:39-62, 4:48-52, 5:11-18, 6:25-36, 8:36-9:14, 10:20-35, 11:42-	Capacitor plates	'547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without	<b>Plaintiff's Position:</b>  Construction of this term may impact validity and/or infringement.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
			12:44, FIGS. 1-5A (Jt. Ex. B).		<p>limitation) for example</p> <ul style="list-style-type: none"> <li>• 4:5-11</li> <li>• 5:11-17</li> <li>• 7:16-8:25</li> <li>• 9:15-65</li> <li>• 10:49-11:41</li> <li>• FIGS. 1A-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Def. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Page 1:3-5</li> <li>• Page 4:5-25</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000</li> </ul>	<p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions comprise capacitive coupling elements as recited.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					035-81) (Defs. Ex. 1) • Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C) • Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)</li> </ul>	
Claims 6, 12, 18, 19, 21	“at least two of said spring contacts having capacitive coupling elements electrically connected to said moveable	The moveable ends of at least two of the spring contacts are connected to capacitive coupling elements	’547 Patent 2:42-54, 4:5-34, 5:1-6, 6:14-54, 7:16-8:22, 9:15-45, FIGS. 1-5A (Jt. Ex. B).	At least two of the cantilever spring contacts include capacitive coupling elements that have an electrically connection to, and move with, their	‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 2:32-54</li> <li>• 3:23-32</li> </ul>	<b>Plaintiff’s Position:</b>  Construction of this term may impact validity and/or infringement.  <b>Defendants’ Position:</b>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	ends of said at least two spring contacts"			respective moveable ends	<ul style="list-style-type: none"> <li>• 3:38-4:4</li> <li>• 4:5-11</li> <li>• 4:48-67</li> <li>• 5:11-16</li> <li>• 5:63-6:24</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 8:42-9:35</li> <li>• 9:15-35</li> <li>• 9:65-10:15</li> <li>• 10:36-48</li> <li>• 10:49-11:6</li> <li>• 11:18-41</li> <li>• FIGS. 2-5A</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000</li> </ul>	Resolution on construction may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					101-109) (Jt. Ex. C) • Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)	
Claims 6, 12, 18, 19, 21	“capacitive coupling elements ... being located outside of a conductive path between said jack and said plug” (Plaintiff)  “located outside of a conductive path between said jack and said plug” (Defendants)	the capacitive coupling elements are not located on the path between the plug, the contacts of the jack, and a cable connected to the jack	’547 Patent 3:51-61, 4:5-21, 4:48-67, 5:11-17, 6:14-24, 7:16-36, 7:37-8:22, 9:15-35, 9:36-52, 10:36-11:6, 11:30-11:41, FIGS. 1-5A (Jt. Ex. B).  Prosecution History: OA of 10/18/2000 (Ex. C); Resp. of 4/18/2001 (Ex. D); OA of 5/22/2001 (Ex. E); Resp. of 8/22/2001 (Ex. F).	Not part of the main conductive signal-carrying path between the jack and the plug but may otherwise be connected to the main signal-carrying path	’547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example • Abstract • 4:5-13 • 4:48-67 • 5:22-25 • 7:16-36 • 9:15-52 • 11:41-52 • FIGS. 1A-5A  ’547 patent prosecution history in its entirety , including (without	<b>Plaintiff's Position:</b>  Construction of this term may impact validity and/or infringement and may assist the jury.  <b>Defendants' Position:</b>  Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112.



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					limitation), for example <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Def. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> </ul>	Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8).</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)</li> </ul>	
Claims 7, 18	“said plurality of contacts include eight connector terminals	the eight contacts each include a connector terminal and are sequentially arranged from 1 to 8	’547 Patent 2:42-54, 5:64-6:24, 6:37-54, FIGS. 1-5A (Jt. Ex. B).	Terminals of eight of the contacts are numbered and arranged in	’547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without	<b>Plaintiff’s Position:</b>  Construction of this term may impact validity and/or

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	numbered 1- 8 seriatim”			sequential order from 1 to 8	<p>limitation) for example</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 3:62-4:4</li> <li>• 4:48-67</li> <li>• 6:13-24</li> <li>• 7:16-23</li> <li>• 8:22-35</li> <li>• 11:42-53</li> <li>• 12:32-36</li> <li>• FIGS. 3-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Page 2:10-23</li> <li>• Page 3:30-4:24</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p>	<p>infringement and may assist the jury.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation,as well as limitations on other claims reciting features associated with certain of the numbered connector terminals.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F)</li> <li>• Notice of Allowability</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					(BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9) • Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)	
Claim 9	“said capacitive coupling elements, electrically connected to spring contacts	Not indefinite. the capacitive coupling elements connected to spring contacts number 1 and 5 are not electrically	7:15-36, 8:18-22, 9:15-10:19, 10:20-11:6, 11:7-40, 11:53-12:44, FIGS. 2, 2I, 3-5A (Jt. Ex. B).	Indefinite  If deemed not indefinite then Plaintiff's construction should	‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example	<b>Plaintiff's Position:</b>  Construction of this term relates to Defendants' invalidity arguments.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	number 1 and 5, are electrically isolated from each other.”	connected to each other		be rejected in favor of the following: the capacitive coupling elements connected to spring contacts number 1 and 5 are separated by an isolative barrier.	<ul style="list-style-type: none"> <li>• Abstract</li> <li>• 2:32-54</li> <li>• 3:23-32</li> <li>• 3:38-4:4</li> <li>• 4:5-21</li> <li>• 4:48-67</li> <li>• 5:11-16</li> <li>• 5:63-6:24</li> <li>• 6:64-67</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 8:42-9:35</li> <li>• 9:15-35</li> <li>• 9:65-10:15</li> <li>• 10:36-48</li> <li>• 10:49-11:6</li> <li>• 11:18-52</li> <li>• FIGS. 2-5A</li> <li>• 7:16-36</li> <li>• 10:49-11:6</li> <li>• FIGS. 2-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p>	<p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Page 2:10-23</li> <li>• Pages 3:39-4:24</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9) • Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)	
Claim 10	"said plurality of contacts include eight	the eight contacts are sequentially arranged from 1 to 8	'547 Patent 2:42-54, 5:64-6:24, 6:37-54,	The contacts are numbered and	'547 patent in entirety (BCU_REEDE00000	<b>Plaintiff's Position:</b>



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
	contacts numbered 1-8 seriatim"		FIGS. 1-5A (Jt. Ex. B).	arranged in order from 1 to 8	<p>01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 3:62-4:4</li> <li>• 4:48-67</li> <li>• 6:13-24</li> <li>• 7:16-23</li> <li>• 8:22-35</li> <li>• 11:42-53</li> <li>• 12:32-36</li> <li>• FIGS. 3-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595</p> <ul style="list-style-type: none"> <li>• Page 2:10-23</li> <li>• Page 3:30-4:24</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999</li> </ul>	<p>Construction of this term may impact validity and/or infringement and may assist the jury.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation,as well as the additional limitation in this claim that "contacts 4 and 6 are</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					(BCU_REEDE000 035-81) (Def. Ex. 1) • Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C) • Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000	capacitively coupled by two of said capacitive coupling elements.”

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<p>153-155) (Defs. Ex. 2)</p> <ul style="list-style-type: none"> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)</li> </ul>	
Claim 12	“said capacitive coupling elements, electrically connected to spring contacts number 4 and 8, are electrically isolated from each other.”	Not indefinite. The capacitive coupling elements connected to spring contacts number 4 and 8 are not electrically connected to each other	7:15-36, 8:18-22, 9:15-10:19, 10:20-11:6, 11:7-40, 11:53-12:44, FIGS. 2, 2I, 3-5A (Jt. Ex. B).	Indefinite  If deemed not indefinite then Plaintiff's construction should be rejected in favor of the following: the capacitive coupling elements connected to spring contacts number 4 and 8 are	<p>‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• Abstract</li> <li>• 2:32-54</li> <li>• 3:23-32</li> <li>• 3:38-4:4</li> <li>• 4:5-21</li> <li>• 4:48-67</li> <li>• 5:11-16</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term relates to Defendants' invalidity arguments.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of the</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
				separated by an isolative barrier.	<ul style="list-style-type: none"> <li>• 5:63-6:24</li> <li>• 6:64-67</li> <li>• 7:16-36</li> <li>• 7:37-8:25</li> <li>• 8:42-9:35</li> <li>• 9:15-35</li> <li>• 9:65-10:15</li> <li>• 10:36-48</li> <li>• 10:49-11:6</li> <li>• 11:18-52</li> <li>• FIGS. 2-5A</li> <li>• 7:16-36</li> <li>• 10:49-11:6</li> <li>• FIGS. 2-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Page 2:10-23</li> <li>• Pages 3:30-4:24 (using a plate to shield elements from each other)</li> <li>• FIGS. 2-22</li> </ul>	asserted claims against Defendants, and also their invalidity, including under Section 112.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E)</li> <li>• Response After Final dated</li> </ul>	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) <ul style="list-style-type: none"> <li>• Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2)</li> <li>• Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9)</li> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)</li> </ul>	
Claim 18	“said capacitive coupling elements include dielectric elements”	the capacitors include dielectrics	’547 Patent 7:15-36, 9:15-65, 10:49-11:6, FIGS. 2, 3-5A (Jt. Ex. B).	The capacitive coupling elements have as a part of them dielectric elements.	‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example	<b>Plaintiff’s Position:</b>  Construction of this term may impact validity and/or infringement and may assist the jury.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• 6:36-43</li> <li>• 7:28-36</li> <li>• 9:15-22</li> <li>• 9:36-52</li> <li>• 9:53-57</li> <li>• 10:49-59</li> <li>• FIGS. 1A-5A,</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000</li> </ul>	<p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00	



Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					01701-09) (Defs. Ex. 9) <ul style="list-style-type: none"> <li>• Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)</li> </ul>	
Claims 19, 21	“said plurality of connector terminals include eight connector terminals numbered 1-8 seriatim”	Not indefinite. “said plurality of contacts include eight connector terminals numbered 1-8 seriatim” which means the eight contacts each include a connector terminal and are sequentially arranged from 1 to 8	’547 Patent 2:42-54, 5:64-6:24, 6:37-54, FIGS. 1-5A (Jt. Ex. B).	“connector terminals numbered 1-8 seriatim” means terminals of eight of the contacts are numbered and arranged in sequential order from 1 to 8 (see “said plurality of contacts include eight connector terminals numbered 1- 8 seriatim” vis-a-vis claims 7 and 18) Indefinite (“said plurality of connector terminals	’547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example <ul style="list-style-type: none"> <li>• Claims 19 and 21</li> <li>• Abstract</li> <li>• 3:62-4:4</li> <li>• 4:48-67</li> <li>• 6:13-24</li> <li>• 7:16-23</li> <li>• 8:22-35</li> <li>• 11:42-53</li> <li>• 12:32-36</li> <li>• FIGS. 3-5A</li> </ul> Provisional Patent Application No.	<b>Plaintiff's Position:</b> Construction of this term relates to Defendants' invalidity arguments.  <b>Defendants' Position:</b> Resolution on construction may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
				..."). There is no antecedent basis.	60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3) • Page 2:10-23 • Page 3:30-4:24 • FIGS. 2-22  '547 patent prosecution history in its entirety , including (without limitation), for example • Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1) • Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C) • Amendment and Response dated 04/18/2001 (BCU_REEDE000	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					122-135) (Jt. Ex. D) • Office Action dated 05/22/2001 (BCU_REEDE000 137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00	

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					01701-09) (Defs. Ex. 9) • Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00 01643-48) (Defs. Ex. 10)	
Claim 21	<p>“said spring contacts number 1, 3 and 5 are capacitively coupled by a first set of said capacitive coupling elements, and said spring contacts number 4, 6 and 8 are capacitively coupled by a second set of said capacitive coupling elements.</p>	<p>Spring contacts number 1, 3 and 5 are electrically connected to three of the capacitive coupling elements, which are capacitively coupled to each other (<i>i.e.</i>, form capacitors), and spring contacts number 4, 6 and 8 are electrically connected to three of the capacitive coupling elements, which are capacitively coupled to each other (<i>i.e.</i>, form capacitors)</p>	<p>7:15-36, 8:18-22, 9:15-10:19, 10:20-11:6, 11:7-40, 11:53-12:44, FIGS. 2, 2I, 3-5A (Jt. Ex. B).</p>	<p>Spring contacts 1, 3 and 5 are each capacitively coupled to each other by a first group of capacitive coupling elements, and spring contacts 4, 6 and 8 are each capacitively coupled to each other by a second group of capacitive coupling elements different from the first group of capacitive coupling elements.</p>	<p>‘547 patent in entirety (BCU_REEDE0000 01-30) (Jt. Ex. B), including (without limitation) for example</p> <ul style="list-style-type: none"> <li>• 7:16-379:15-36</li> <li>• 9:66-10:48</li> <li>• 10:49-11:6</li> <li>• 11:18-41</li> <li>• FIGS. 1A-5A</li> </ul> <p>Provisional Patent Application No. 60/110,595 (COMMJACK_000 1805-36) (Defs. Ex. 3)</p> <ul style="list-style-type: none"> <li>• Page 2:10-23</li> </ul>	<p><b>Plaintiff's Position:</b></p> <p>Construction of this term may impact validity and/or infringement and may assist the jury.</p> <p><b>Defendants' Position:</b></p> <p>Resolution on construction may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112.</p>

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					<ul style="list-style-type: none"> <li>• Page 3:30-4:24</li> <li>• FIGS. 2-22</li> </ul> <p>'547 patent prosecution history in its entirety , including (without limitation), for example</p> <ul style="list-style-type: none"> <li>• Application dated 12/2/1999 (BCU_REEDE000 035-81) (Defs. Ex. 1)</li> <li>• Office Action dated 10/18/2000 (BCU_REEDE000 101-109) (Jt. Ex. C)</li> <li>• Amendment and Response dated 04/18/2001 (BCU_REEDE000 122-135) (Jt. Ex. D)</li> <li>• Office Action dated 05/22/2001 (BCU_REEDE000</li> </ul>	Specifically, for example, resolution will clarify whether structure identified in prior art and infringement contentions meet this limitation.

Claims	Term(s)	Plaintiff's Proposed Construction	Plaintiff's Intrinsic Support	Defendants' Proposed Construction	Defendants' Intrinsic Support	Why Resolution of Dispute Makes a Difference
					137-145) (Jt. Ex. E) • Response After Final dated 08/22/2001 (BCU_REEDE000 146-151) (Jt. Ex. F) • Notice of Allowability (BCU_REEDE000 153-155) (Defs. Ex. 2) • Martin (U.S. Patent No. 5,967,801) (COMMJACK_00 01635-42) (Defs. Ex. 8). • Merchant (U.S. Patent No. 6,106,335) (COMMJACK_00 01701-09) (Defs. Ex. 9) • Geurts (U.S. Patent No. 5,967,828) (COMMJACK_00	

<b>Claims</b>	<b>Term(s)</b>	<b>Plaintiff's Proposed Construction</b>	<b>Plaintiff's Intrinsic Support</b>	<b>Defendants' Proposed Construction</b>	<b>Defendants' Intrinsic Support</b>	<b>Why Resolution of Dispute Makes a Difference</b>
					01643-48) (Defs. Ex. 10)	